

STATE OF WISCONSIN
Assembly Journal
Eighty-Eighth Regular Session

10:00 A.M.

TUESDAY, February 16, 1988

The assembly met.

Speaker pro tempore Clarenbach in the chair.

The prayer was offered by Representative Holschbach.

Representative Wineke led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Bolle, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Junkermann, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Musser, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Robson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Travis, Tregoning, Underheim, Van Dreel, Van Gorden, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, York, Young, Zeuske, Zweck and Speaker Loftus — 97.

Absent — None.

Absent with leave — Turba and Vanderperren — 2.

Vacancies — None.

AMENDMENTS OFFERED

Assembly amendment 5 to **Assembly Bill 111** offered by Representative Nelsen.

Assembly amendment 6 to **Assembly Bill 111** offered by Representative Nelsen.

Assembly amendment 2 to assembly amendment 1 to **Assembly Bill 358** offered by Representative Schneiders.

Assembly amendment 3 to assembly amendment 1 to **Assembly Bill 358** offered by Representatives Hauke and Nelsen.

Assembly amendment 2 to **Assembly Bill 358** offered by Representative Schneiders.

Assembly amendment 3 to **Assembly Bill 358** offered by Representative Schneiders.

Assembly amendment 4 to **Assembly Bill 358** offered by Representative Tregoning.

Assembly amendment 2 to **Assembly Bill 558** offered by Representative Porter.

Assembly amendment 1 to **Assembly Bill 728** offered by committee on Judiciary.

Assembly amendment 1 to **Assembly Bill 782** offered by committee on Criminal Justice and Public Safety.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 790** offered by Representatives Potter and Krusick.

Assembly substitute amendment 1 to **Assembly Bill 908** offered by committee on Criminal Justice and Public Safety.

LEAVES OF ABSENCE

Representative Hauke asked unanimous consent for a leave of absence for today's session for Representative Vanderperren. Granted.

Representative Tregoning asked unanimous consent for a leave of absence for today's session for Representative Turba. Granted.

MOTIONS

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 753** be withdrawn from the Joint Committee on Finance and referred to the committee on Rules. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 795** be withdrawn from the committee on Rules and placed at the foot of the twelfth order of business on the calendar of Thursday, February 18. Granted.

Representative Hauke introduced a privileged joint resolution.

Assembly Joint Resolution 93

Relating to recalling certain assembly bills from the senate for further action.

The question was: Shall **Assembly Joint Resolution 93** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 93** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Resolution 9** be withdrawn from the calendar of Tuesday, February 16 and taken up at this time. Granted.

Assembly Resolution 9

Commemorating the 150th anniversary of the birth of John Muir and designating April 21, 1988, as "John Muir Day".

The question was: Shall **Assembly Resolution 9** be adopted?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Bolle, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Junkermann, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Musser, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Robson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Travis, Tregoning, Underheim, Van Dreel, Van Gorden, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, York, Young, Zeuske, Zweck and Speaker Loftus — 97.

Noes — None.

Absent or not voting — Turba and Vanderperren — 2.

Motion carried.

Representative Thompson asked unanimous consent that the assembly stand recessed until 10:45 A.M. Granted.

The assembly stood recessed.

10:20 A.M.

RECESS

11:10 A.M.

The assembly reconvened.

Speaker Loftus in the chair.

Representative Hauke asked unanimous consent that **Assembly Bill 866** be withdrawn from the Joint Committee on Finance and referred to the committee on Ways and Means. Granted.

CALENDAR OF TUESDAY, FEBRUARY 16

Assembly Bill 111

Relating to prohibiting the sale of tobacco products not suitable for smoking to persons under 18 years of age, prohibiting children from intentionally chewing, inhaling or in any other manner introducing into the body, or possessing, tobacco products not suitable for smoking and providing a penalty.

Representative Hauke asked unanimous consent that **Assembly Bill 111** and **Assembly Bill 390** be laid on the table. Granted.

Assembly Bill 358

Relating to imposing liability for violations of traffic regulations upon the owner of a vehicle and providing penalties.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 358** offered by Representative Schneiders.

Representative Krusick moved rejection of assembly amendment 1 to assembly amendment 1 to **Assembly Bill 358**.

Representative Schneiders moved that **Assembly Bill 358** be laid on the table.

The question was: Shall **Assembly Bill 358** be laid on the table?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Becker, Bock, Bolle, Boyle, Bradley, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Fergus, Gard, Gronemus, Gruszynski, Hamilton, Hubler, Johnsrud, Junkermann, Krug, Ladwig, Larson, Lepak, Mark Lewis, McEssy, Neubauer, Notestein, Ott, Paulson, Porter, Robinson, Schneider, Schneiders, Schober, Shoemaker, Swoboda, Thompson, Tregoning, Underheim, Van Dreel, Van Gorden, Vergeront, Volk, Welch, Williams, Wimmer, Young and Speaker Loftus — 49.

Noes — Barrett, Bell, Berndt, Black, Brancel, Brandemuehl, Byers, Deininger, Farrow, Fortis, Foti, Goetsch, Grobschmidt, Hasenohrl, Hauke, Holperin, Holschbach, Huelsman, Krusick, Kunicki, Margaret Lewis, Linton, Looby, Magnuson, Medinger, Merkt, Musser, Nelsen, Ourada, Panzer, Potter, Prosser, Radtke, Roberts, Robson, Rosenzweig, Rutkowski, Schmidt, Schultz, Seery, Tesmer, Travis, Walling, Wineke, Wood, York, Zeuske and Zweck — 48.

2. Absent or not voting — Turba and Vanderperren —

Motion carried.

Assembly Bill 414

Relating to creating an exemption from registration for certain foreign private issuers' securities.

Assembly amendment 1 to **Assembly Bill 414** offered by Representatives Seery, Becker, and S. Coggs.

The question was: Shall assembly amendment 1 to **Assembly Bill 414** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 414** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 414** be given a third reading. Granted.

The question was: **Assembly Bill 414** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 414** be immediately messaged to the senate. Granted.

Assembly Bill 597

Relating to criminal responsibility.

The question was: Shall assembly amendment 1 to **Assembly Bill 597** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to **Assembly Bill 597** be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to **Assembly Bill 597** be adopted?

Motion carried.

The question was: Shall assembly amendment 4 to **Assembly Bill 597** be adopted?

Motion carried.

Assembly amendment 1 to assembly amendment 5 to **Assembly Bill 597** offered by Representatives Rutkowski and Young.

The question was: Shall assembly amendment 1 to assembly amendment 5 to **Assembly Bill 597** be adopted?

Motion carried.

The question was: Shall assembly amendment 5 to **Assembly Bill 597** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 597** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 597** be given a third reading. Granted.

The question was: **Assembly Bill 597** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 597** be immediately messaged to the senate. Granted.

Assembly Bill 621

Relating to public information concerning the purpose and effect of designations to the Wisconsin election campaign fund and making an appropriation.

The question was: Shall **Assembly Bill 621** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 621** be given a third reading. Granted.

Representative Nelsen moved indefinite postponement of **Assembly Bill 621**.

The question was: Shall **Assembly Bill 621** be indefinitely postponed?

The roll was taken.

The result follows:

Ayes — Bradley, Brancel, Brandemuehl, Byers, Coleman, Farrow, Foti, Hasenohrl, Huelsman, Johnsrud, Ladwig, Larson, Lepak, Margaret Lewis, McEssy, Merkt, Nelsen, Ott, Panzer, Paulson, Porter, Prosser, Rosenzweig, Schmidt, Schneiders, Schober, Schultz, Tregoning, Van Gorden, Vergeront, Walling, Welch, Williams, Wimmer and York — 35.

Noes — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bolle, Boyle, Carpenter, Clarenbach, Coggs, M., Coggs, S., Deininger, Fergus, Fortis, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hauke, Holperin, Holschbach, Hubler, Junkermann, Krug, Krusick, Kunicki, Mark Lewis, Linton, Looby, Magnuson, Medinger, Musser, Neubauer, Notestein, Ourada, Potter, Radtke, Roberts, Robinson, Robson, Rutkowski, Schneider, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Travis, Underheim, Van Dreel, Volk, Wineke, Wood, Young, Zeuske, Zweck and Speaker Loftus — 61.

Absent or not voting — Bock, Turba and Vanderperren — 3.

Motion failed.

Representative Bock asked unanimous consent to be recorded as voting "No" on the previous question. Granted.

The question was: **Assembly Bill 621** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 621** be immediately messaged to the senate.

Representative Nelsen objected.

Assembly Bill 626

Relating to minority group members of the Wisconsin housing and economic development authority.

The question was: Shall assembly amendment 1 to **Assembly Bill 626** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 626** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 626** be given a third reading. Granted.

The question was: **Assembly Bill 626** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 626** be immediately messaged to the senate. Granted.

Assembly Bill 693

Relating to satisfaction of judgments by the attorney general.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 693** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 693** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 693** be given a third reading. Granted.

The question was: **Assembly Bill 693** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 693** be immediately messaged to the senate. Granted.

Assembly Bill 727

Relating to statements by crime victims and family members of homicide victims.

The question was: Shall assembly amendment 1 to **Assembly Bill 727** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 727** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 727** be given a third reading. Granted.

The question was: **Assembly Bill 727** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 727** be immediately messaged to the senate. Granted.

Assembly Bill 828

Relating to disabled adult family homes, granting rule-making authority and providing penalties.

The question was: Shall assembly amendment 1 to **Assembly Bill 828** be adopted?

Motion carried.

The question was: Shall assembly amendment 2 to **Assembly Bill 828** be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to **Assembly Bill 828** be adopted?

Motion carried.

The question was: Shall assembly amendment 4 to **Assembly Bill 828** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 828** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 828** be given a third reading. Granted.

The question was: **Assembly Bill 828** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 828** be immediately messaged to the senate. Granted.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Assembly Joint Resolution 93

Returned to the assembly pursuant to **Assembly Joint Resolution 93**:

Assembly Bill 910

Assembly Bill 911

Assembly Bill 913

ACTION ON THE SENATE MESSAGE

Assembly Bill 910

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc., for the 1987-89 biennium, covering employes in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

To calendar.

Assembly Bill 911

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin Science Professionals, AFT, Local 3732, for the 1987-89 biennium, covering employes in the professional science collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

To calendar.

Assembly Bill 913

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees Union, AFSCME Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1987-89 biennium, covering employes in the professional research, statistics and analysis collective bargaining unit, and authorizing an expenditure of funds.

By Joint Committee on Employment Relations.

To calendar.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 910** be withdrawn from the calendar of Thursday, February 18 and taken up at his time. Granted.

Assembly Bill 910

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc., for the 1987-89 biennium, covering employes in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

The question was: **Assembly Bill 910** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Bolle, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Farrow, Fergus, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Junkermann, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Musser, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Robson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Travis, Tregoning, Underheim, Van Dreel, Van Gorden, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, York, Young, Zeuske, Zweck and Speaker Loftus — 96.

Noes — None.

Absent or not voting — Fortis, Turba and Vanderperren — 3.

Motion carried.

Representative Fortis asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 910** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that **Assembly Bill 911** be withdrawn from the calendar of Thursday, February 18 and taken up at this time. Granted.

Assembly Bill 911

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin Science Professionals, AFT, Local 3732, for the 1987-89 biennium, covering employes in the professional science collective bargaining unit, and authorizing an expenditure of funds.

The question was: **Assembly Bill 911** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Bolle, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Junkermann, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak,

Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Musser, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Robson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Travis, Tregoning, Underheim, Van Dreel, Van Gorden, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, York, Young, Zeuske, Zweck and Speaker Loftus — 97.

Noes — None.

Absent or not voting — Turba and Vanderperren — 2.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 911** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 913** be withdrawn from the calendar of Thursday, February 18 and taken up at this time. Granted.

Assembly Bill 913

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Employees Union, AFSCME Council 24, and its appropriate affiliated locals, AFL-CIO, for the 1987-89 biennium, covering employes in the professional research, statistics and analysis collective bargaining unit, and authorizing an expenditure of funds.

The question was: **Assembly Bill 913** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Bolle, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Junkermann, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Musser, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Robson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Travis, Tregoning, Van Dreel, Van Gorden, Vergeront, Volk, Walling, Welch, Wimmer, Wineke, Wood, York, Young, Zeuske, Zweck and Speaker Loftus — 95.

Noes — Underheim — 1.

Absent or not voting — Turba, Vanderperren and Williams — 3.

Motion carried.

Representative Williams asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 913** be immediately messaged to the senate. Granted.

Senate Bill 161

Relating to designating milk as the state beverage.

The question was: Shall **Senate Bill 161** be ordered to a third reading?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 161** be given a third reading. Granted.

The question was: **Senate Bill 161** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Bell, Berndt, Black, Bolle, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Farrow, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Hubler, Huelsman, Johnsrud, Junkermann, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Magnuson, Medinger, Merkt, Musser, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Rosenzweig, Rutkowski, Schmidt, Schneiders, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Travis, Tregoning, Underheim, Van Dreel, Van Gorden, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, York, Zeuske, Zweck and Speaker Loftus — 85.

Noes — Becker, Bock, Fergus, Holschbach, Krug, Roberts, Robinson, Robson, Schneider, Schober and Young — 11.

Absent or not voting — Vanderperren — 1.

Paired for — Turba — 1.

Paired against — Deininger — 1.

Motion carried.

Representative Holschbach asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 161** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that **Assembly Bill 111** be taken from the table and taken up at this time. Granted.

Assembly Bill 111

Relating to prohibiting the sale of tobacco products not suitable for smoking to persons under 18 years of age, prohibiting children from intentionally chewing, inhaling or in any other manner introducing into the body, or possessing, tobacco products not suitable for smoking and providing a penalty.

Representative Gronemus moved that **Assembly Bill 111** be laid on the table.

The question was: Shall **Assembly Bill 111** be laid on the table?

The roll was taken.

The result follows:

Ayes — Becker, Boyle, Bradley, Byers, Clarenbach, Gard, Grobschmidt, Gronemus, Hamilton, Hauke, Holperin, Hubler, Johnsrud, Junkermann, Kunicki, Larson, Lepak, Mark Lewis, Linton, Looby, McEssy, Nelsen, Neubauer, Ourada, Paulson, Prosser, Radtke, Robinson, Rosenzweig, Schneiders, Schultz, Swoboda, Tesmer, Thompson, Tregoning, Van Gorden, Walling, Williams, Wineke and Young — 40.

Noes — Antaramian, Barca, Barrett, Bell, Berndt, Black, Bock, Bolle, Brancel, Brandemuehl, Carpenter, Coggs, M., Coggs, S., Coleman, Deininger, Farrow, Fergus, Fortis, Foti, Goetsch, Gruszynski, Hasenohrl, Holschbach, Huelsman, Krug, Krusick, Ladwig, Margaret Lewis, Magnuson, Medinger, Merkt, Musser, Notestein, Ott, Panzer, Porter, Potter, Roberts, Robson, Rutkowski, Schmidt, Schneider, Schober, Seery, Shoemaker, Travis, Underheim, Van Dreel, Vergeront, Volk, Welch, Wimmer, Wood, York, Zeuske, Zweck and Speaker Loftus — 57.

Absent or not voting — Turba and Vanderperren — 2.

Motion failed.

Representative Robinson asked unanimous consent that **Assembly Bill 111** be laid on the table.

Representative Schneider objected.

Representative Robinson moved that **Assembly Bill 111** be re-referred to the committee on Health.

The question was: Shall **Assembly Bill 111** be re-referred to the committee on Health?

The roll was taken.

The result follows:

Ayes — Barca, Becker, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coggs, M., Coggs, S., Deininger, Fergus, Gard, Grobschmidt, Gronemus, Hamilton, Hauke, Holperin, Hubler, Johnsrud, Junkermann, Ladwig, Larson, Lepak,

Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Musser, Nelsen, Neubauer, Ott, Ourada, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Rosenzweig, Rutkowski, Schmidt, Schneiders, Schultz, Swoboda, Tesmer, Thompson, Tregoning, Van Gorden, Volk, Walling, Welch, Williams, Wineke, Young and Zweck — 59.

Noes — Antaramian, Barrett, Bell, Berndt, Black, Bock, Bolle, Coleman, Farrow, Fortis, Foti, Goetsch, Gruszynski, Hasenohrl, Holschbach, Huelsman, Krug, Krusick, Kunicki, Magnuson, Medinger, Merkt, Notestein, Panzer, Robson, Schneider, Schober, Seery, Shoemaker, Travis, Underheim, Van Dreel, Vergeront, Wimmer, Wood, York, Zeuske and Speaker Loftus — 38.

Absent or not voting — Turba and Vanderperren — 2.

Motion carried.

Representative Hauke asked unanimous consent that **Assembly Bill 390** be taken from the table and taken up at this time. Granted.

Assembly Bill 390

Relating to prohibiting cigarette and tobacco products sales to and purchase by certain persons, distribution of cigarettes and tobacco products for nominal or no consideration, cigarette vending machine locations, increasing cigarette and tobacco products taxes, providing funds for health programs, making an appropriation and providing a penalty.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 390** offered by Representative Schneider.

Representative Neubauer moved that assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 390** be laid on the table.

Speaker Loftus in the chair.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 390** be laid on the table?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Becker, Bock, Boyle, Bradley, Brandemuehl, Byers, Clarenbach, Coleman, Deininger, Fergus, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Hauke, Holperin, Holschbach, Hubler, Johnsrud, Junkermann, Kunicki, Larson, Lepak, Margaret Lewis, Mark Lewis, Linton, Looby, McEssy, Nelsen, Neubauer, Notestein, Ourada, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Rosenzweig, Rutkowski, Schneiders, Schultz, Swoboda, Tesmer, Van Dreel, Van Gorden, Volk, Walling, Williams, Wimmer, Wineke, Young, Zeuske, Zweck and Speaker Loftus — 61.

Noes — Bell, Berndt, Black, Bolle, Brancel, Carpenter, Coggs, M., Coggs, S., Farrow, Fortis, Foti, Hasenohrl, Huelsman, Krug, Krusick, Ladwig, Magnuson, Medinger, Merkt, Musser, Ott, Panzer, Robson, Schmidt, Schneider, Schober, Seery, Shoemaker, Thompson, Travis, Underheim, Vergeront, Welch, Wood and York — 35.

Absent or not voting — Tregoning, Turba and Vanderperren — 3.

Motion carried.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 390** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 390** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 390** be given a third reading. Granted.

The question was: **Assembly Bill 390** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Antaramian, Barca, Barrett, Becker, Bell, Berndt, Black, Bock, Bolle, Boyle, Bradley, Brancel, Brandemuehl, Byers, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gruszynski, Hamilton, Hasenohrl, Hauke, Holperin, Holschbach, Hubler, Huelsman, Johnsrud, Junkermann, Krug, Krusick, Kunicki, Ladwig, Larson, Lepak, Margaret Lewis, Mark Lewis, Linton, Looby, Magnuson, Medinger, Merkt, Musser, Nelsen, Neubauer, Notestein, Ott, Ourada, Panzer, Paulson, Porter, Potter, Prosser, Radtke, Roberts, Robinson, Robson, Rosenzweig,

Rutkowski, Schmidt, Schneider, Schneiders, Schober, Schultz, Seery, Shoemaker, Swoboda, Tesmer, Thompson, Travis, Tregoning, Underheim, Van Dreel, Van Gorden, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, York, Young, Zeuske, Zweck and Speaker Loftus — 95.

Noes — Gronemus and McEssy — 2.

Absent or not voting — Turba and Vanderperren — 2.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 390** be immediately messaged to the senate. Granted.

Representative Paulson asked unanimous consent to be made a coauthor of **Assembly Bill 907**. Granted.

Representative Carpenter asked unanimous consent to be made a coauthor of **Assembly Bill 907**. Granted.

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Sara Linton from Highbridge, daughter of Representative Linton.

Representative Hauke moved that the assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:50 P.M.